

Respectfully submitted,

*s/F. Leighton Durham III**

MARTIN E. ROSE

Texas State Bar No. 17253100

BRYAN P. ROSE

Texas State Bar No. 24044704

ROSE WALKER, L.L.P.

3500 Maple Avenue, Suite 1200

Dallas, Texas 75219

Telephone: (214) 752-8600

Facsimile: (214) 752-8700

mrose@rosewalker.com

brose@rosewalker.com

and

F. LEIGHTON DURHAM III

State Bar No. 24012569

KELLY, DURHAM & PITTARD, LLP

P. O. Box 224626

Dallas, Texas 75222

Telephone: (214) 946-8000

Facsimile: (214) 946-8433

ldurham@texasappeals.com

ATTORNEYS FOR PLAINTIFFS

AND THIRD-PARTY DEFENDANTS

**signed by permission by Laura Trenaman*

OF COUNSEL:

ANDREWS KURTH KENYON LLP

and

M. KATHERINE STRAHAN

State Bar No. 24013584

kstrahan@andrewskurth.com

LAURA TRENAMAN

State Bar No. 00798553

ltrenaman@andrewskurth.com

COURTNEY B. GLASER

State Bar No. 24059824

cglaser@andrewskurth.com

and

MARK A. SHOFFNER

State Bar No. 24037490

1717 Main Street, Suite 3700

Dallas, Texas 75201

Telephone: (214) 659-4400

Telecopier: (214) 659-4401

markshoffner@andrewskurth.com

s/M. Katherine Strahan

JOHN B. SHELLEY

State Bar No. 18215300

600 Travis, Suite 4200

Houston, Texas 77002

Telephone: (713) 220-4105

Telecopier: (713) 220-4285

jshelly@andrewskurth.com

ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

On October 24, 2016, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the following attorneys of record who are known "Filing Users:"

Martin E. Rose

Bryan P. Rose

F. Leighton Durham III

s/M. Katherine Strahan

M. Katherine Strahan